

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF DELAWARE**

ALL-SPAN INC.

Plaintiff

v.

UNITED STATES OF AMERICA.
DEPARTMENT OF HOMELAND SECURITY,
C&F CONSTRUCTION INDUSTRIES CORP. and
CUMBERLAND CASUALTY & SURETY CO.

Defendants

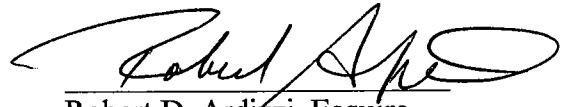
Civil No. 04-1420

AFFIDAVIT IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT

I, Robert D. Ardizzi, being first duly sworn do depose and say:

1. I am the attorney for Plaintiff in the above action.
2. Plaintiff commenced this action on November 4, 2004 to collect a contract balance owed for work performed on a construction project owed by Defendant C & F Construction Industries Corp. and its surety company, Cumberland Casualty & Surety Company.
3. On December 16, 2004, Defendant Cumberland Casualty & Surety Co. was served with the Summons and Complaint via certified mail. A true and correct copy of the return of service is attached hereto as Exhibit "A."
4. Defendant Cumberland Casualty & Surety Co. has failed to plead or otherwise defend as provided by the Federal Rules of Civil Procedure


5. Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiff is entitled to the entry of a default against Defendant Cumberland Casualty & Surety Company..


Robert D. Ardizzi, Esquire

Sworn to and subscribed

before me this 17th day

of January, 2006,



NOTARY PUBLIC

